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PATENT

Attorney Docket No. 04012.0188-02000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

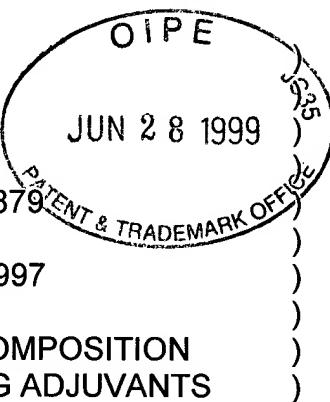
In re Application of:

J.P. PRIEELS et al.

Serial No.: 08/909,879

Filed: August 12, 1997

For: VACCINE COMPOSITION  
CONTAINING ADJUVANTS



Group Art Unit: 1813

Examiner: R. Budens

PETITION TO MAKE SPECIAL

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Appellants hereby petition under 37 CFR § 1.102(d) and §§ 708.01 and 708.02 of the M.P.E.P. to make the above application special on the basis that the invention relates to treating HIV/AIDS.

The invention is a vaccine and a method of administering the vaccine to an animal or human. Evidence submitted with and further discussed in the Appellants' Appeal Brief filed concurrently with this petition shows that the claimed vaccine was effective in protecting 10 of 12 rhesus macaques who were exposed to chimeric SHIV. As explained in the Appeal Brief, SHIV contains the HIV antigen. Thus, the invention contributes to the treatment of HIV.

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**U.S. Patent Application No. 08/909,879  
Atty. Docket No. 04012.0188-02000**

Applicants enclose a fee of \$130.00 as required by this petition. If any additional fee is necessary, please charge it to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:



Eyal H. Barash  
Reg. No. 43,483

Dated: June 28, 1999

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